

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Henning WALCZAK

Serial No.: 10/551,004

Filed: March 26, 2004

For: IMPROVED FC FUSION  
PROTEINS

Art Unit: 1644

Examiner: Unassigned

Atty. Docket: 045278-002000

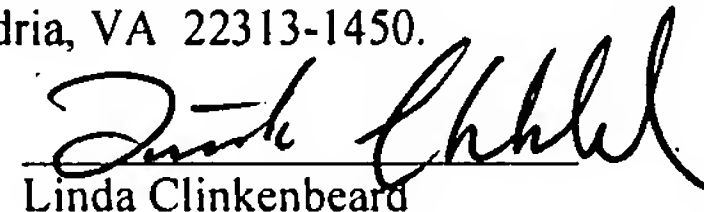
**CERTIFICATE OF  
MAILING/TRANSMISSION  
(37 C.F.R. § 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

(X) deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4/9/07

Date

  
Linda Clinkenbeard

Confirmation No.: 1454

**RESPONSE TO NOTICE TO FILE MISSING PARTS**Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Notice to File Missing Parts mailed December 7, 2006, and relating to completion of the above-identified application, transmitted herewith is a Declaration as signed by the named inventor in connection with the above-identified patent application. Furthermore, also attached is an electronic and paper copy of the sequence listings, along with the required statement that the content of the sequence listing information is identical to the written content of the sequence listing information. A copy of the Notice is enclosed.

The fees associated with this filing are \$55.00 for the late declaration surcharge fee, \$125.00 corresponding to the excess page fee and \$795.00 for the extension of time to reply to the Notice to File Missing Parts in the fourth month. Applicant hereby requests that the \$180.00 overpayment as calculated by the United States Patent and Trademark Office be applied to the late declaration and excess page fee. The extension of time fee is hereby authorized to Deposit Account No. 50-3557. The Commissioner is also authorized to charge any additional fees or



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/551,004	Henning Walczak	187104/US/BM

32940  
DORSEY & WHITNEY LLP  
555 CALIFORNIA STREET, SUITE 1000  
SUITE 1000  
SAN FRANCISCO, CA 94104



INTERNATIONAL APPLICATION NO.	
PCT/EP04/03239	
I.A. FILING DATE	PRIORITY DATE
03/26/2004	03/26/2003

CONFIRMATION NO. 1454  
371 FORMALITIES LETTER



\*OC000000021503785\*

Date Mailed: 12/07/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/26/2005
- Copy of the International Search Report filed on 09/26/2005
- Preliminary Amendments filed on 09/26/2005
- Biochemical Sequence Diskette filed on 09/26/2005
- Oath or Declaration filed on 09/26/2005
- Biochemical Sequence Listing filed on 09/26/2005
- Request for Immediate Examination filed on 09/26/2005
- U.S. Basic National Fees filed on 09/26/2005
- Priority Documents filed on 09/26/2005
- Specification filed on 09/26/2005
- Claims filed on 09/26/2005
- Abstracts filed on 09/26/2005
- Drawings filed on 09/26/2005
- Paper nucleotide sequence listings filed on 09/26/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$-55 for a Small Entity:

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).
- The specification and drawings contain more than 100 pages. Applicant owes \$125 for 2 pages in excess of 100 pages for a small entity in compliance with 37 CFR 1.27.

(A previous payment of \$180 will be applied to the additional fees indicated above.)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

TAMALA D HOLLAND

Telephone: (703) 308-9140 EXT 209

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/551,004	PCT/EP04/03239	187104/US/BM

FORM PCT/DO/EO/905 (371 Formalities Notice)

**FREE TRANSMITTAL FOR FY 2007**  
Patent fees are subject to annual revision.  
☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**975.00**

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number **50-3557**

Deposit Account Name **Nixon Peabody LLP**

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	300	2001	150	Utility filing fee	
1002	200	2002	100	Design filing fee	
1003	200	2003	100	Plant filing fee	
1004	300	2004	150	Reissue filing fee	
1005	200	2005	100	Provisional filing fee	

SUBTOTAL (1) (\$)**0.00**

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	X	0
Independent Claims	-3** =	X	0
Multiple Dependent	X		0

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	50	2202	25	Claims in excess of 20
1201	200	2201	100	Independent claims in excess of 3
1203	360	2203	180	Multiple dependent claim, if not paid
1204	200	2204	100	** Reissue independent claims over original patent
1205	50	2205	25	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**0.00**

\*\*or number previously paid, if greater; For Reissues, see above

**Complete if Known**  
Application Number **10/551,004**  
Filing Date **March 26, 2004**  
First Named Inventor **Henning WALCZAK**  
Examiner Name **Unassigned**  
Art Unit **1644**  
Attorney Docket No. **045278-002000**

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	55	Surcharge - late filing fee or oath	55.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	795.00
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1,100	2503	550	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) <u>Excess pages of specification</u>					125.00

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)**975.00**

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**  
I hereby certify that this correspondence, on the date shown below, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to MAIL STOP Missing Parts, Commissioner of Patents, Box 1450, Alexandria, VA 22313-1450.  
April 9, 2007 Date  
Linda Clinkenbeard Signature  
Linda Clinkenbeard Typed or printed name

**SUBMITTED BY**  
Name (Print/Type) **Birgit Millauer** Registration No. **43,341** Telephone **415 984-8200**  
Signature Date **April 9, 2007**